

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 24-80041-Cr-Rosenberg/Reinhart

UNITED STATES OF AMERICA,

Plaintiff,

vs.

SAMANTHA HANA YI,

Defendant.

SAMANTHA YI'S OBJECTIONS TO PRESENTENCE INVESTIGATION REPORT

COMES NOW defendant SAMANTHA HANA YI, by and through undersigned counsel, who would object to the Draft PSR dated November 11, 2024 as follows:

1. **Page 19, ¶ 88** – Defendant objects to the two-level enhancement for maintaining a premise for the purpose of manufacturing or distributing a controlled substance pursuant to § 2D1.1(b)(12). The premises in question was owned by the mother of codefendant Darnell Mendez, and Mr. Mendez resided in the premises. Ms. Yi maintained a separate residence with her mother and children. *See* Application note 17 (“Subsection (b)(12) applies to a defendant who knowingly maintains a premise (*i.e.*, a building, room, or enclosure) for the purpose of manufacturing or distributing a controlled substance, including storage of a controlled substance for the purpose of distribution.”). “Among the factors the court should consider in determining whether the defendant ‘maintained’ the premises are (A) whether the defendant held a possessory interest in (e.g. owned or rented) the premises and (B) the extent to which the defendant controlled access to or activities at the premises.” *Id.* Samantha Yi held no

possessory interest in the property, and did not control access to or activities in the premises. Mr. Mendez resided in the home and controlled access thereto.

2. **Page 19, ¶ 95** – Defendant objects to the total offense level. Based upon the above objection, the total offense level is 38.

3. **Page 28, ¶ 133** – Defendant objects to the guideline imprisonment range. With an offense level of 38 and a criminal history category of II, the guideline imprisonment range is 262-237 months.

CERTIFICATE OF SERVICE AND FILING

I HEREBY CERTIFY that these objections have been electronically filed and served on all parties via CM/ECF on the 4th day of December, 2024.

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